

**DOE RISK MANAGEMENT ACT**

*Committee on Energy and Natural Resources:* Committee concluded hearings on S. 333, to direct the Secretary of Energy to institute certain procedures in the performance of risk assessments in connection with environmental restoration activities, after receiving testimony from Sally Katzen, Administrator, Office of Information and Regulatory Affairs, Office of Management and Budget; Thomas P. Grumbly, Assistant

Secretary of Energy for Environmental Management; Bernice Steinhardt, Associate Director, Energy and Science Issues, Resources, Community, and Economic Development Division, General Accounting Office; Gary J. Powers, Carnegie Mellon University, Pittsburgh, Pennsylvania; Steven J. Milloy, Regulatory Impact Analysis Project, and Earnie Deavenport, Eastman Chemical Company, both of Washington, DC; and John S. Applegate, University of Cincinnati, Cincinnati, OH.

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## House of Representatives

### *Chamber Action*

**Bills Introduced:** 8 public bills, H.R. 1134–1141; and 4 resolutions, H.J. Res. 75, H. Con. Res. 33, and H. Res. 106 and 107 were introduced.

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**Reports Filed:** Reports were filed as follows:

H.J. Res. 2, proposing an amendment to the Constitution of the United States with respect to the number of terms of office of Members of the Senate and the House of Representatives, amended (H. Rept. 104–67); and

H. Res. 105, providing for consideration of H.R. 1058, to reform Federal securities litigation (H. Rept. 104–68).

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**Speaker Pro Tempore:** Read a letter from the Speaker wherein he designates Representative Goss as Speaker pro tempore for today.

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**Recess:** Recessed at 1 p.m. and reconvened at 2 p.m.

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**Presidential Messages:** Read the following messages from the President:

**Floodplain management:** Message wherein he transmits a report on a unified program for national floodplain management—referred to the Committee on Banking and Financial Services; and

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**National Endowment for Democracy:** Message wherein he transmits the 11th Annual Report of the National Endowment for Democracy for fiscal year 1994.

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**Attorney Accountability Act:** House completed all general debate and began consideration of amendments to H.R. 988, to reform the Federal civil justice system. Consideration of amendments will resume on Tuesday, March 7.

Pages H2661–H2703

Agreed to the Goodlatte amendment that clarifies provisions regarding petition for the award of costs

and attorneys' fees in civil diversity litigation after an offer of settlement (agreed to by a recorded vote of 317 ayes to 89 noes, Roll No. 200).

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Rejected:

The McHale amendment that sought to add language providing guidelines for the legal determination of a frivolous complaint and providing that, if a defendant makes a motion to dismiss a suit within 90 days of the filing of the complaint, and the court finds it to be frivolous, the court must dismiss the claim and award counsel fees and legal costs to the defendant (rejected by a recorded vote of 115 ayes to 306 noes, Roll No. 202);

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The Berman amendment to the McHale amendment that sought to strike provisions regarding the award of costs and attorneys' fees in Federal civil diversity litigation after an order of settlement (rejected by a recorded vote of 186 ayes to 235 noes, Roll No. 201);

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The Hoke amendment that sought to limit the contingency fees attorneys can receive (when a qualifying settlement offer is made and accepted) to the lesser of the previously agreed-to hourly rate for work performed plus expenses or 10 percent of the amount of the settlement offer; and limit the contingency fees (when a qualifying settlement offer is made but rejected) to the total of no more than 33 percent of the difference between the final recovery and the settlement offer, the previously agreed-to hourly rate for work performed, and the attorney's actual expenses (rejected by a recorded vote of 71 ayes to 347 noes, Roll No. 203); and

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The Conyers amendment to the Hoke amendment that sought to place the same fee limitations on attorneys of both the plaintiff and the defendant.

Pages H2698–99

H. Res. 104, the rule under which the bill is being considered, was agreed to earlier by a voice vote.

Pages H2661–62

**Committees to Sit:** The following committees and their subcommittees received permission to sit on Tuesday, March 7, during proceedings of the House under the 5-minute rule: Committees on Agriculture, Banking and Financial Services, Economic and Educational Opportunities, Government Reform and Oversight, National Security, Resources, Transportation and Infrastructure, Veterans' Affairs, and Intelligence.

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**Amendments Ordered Printed:** Amendments ordered printed pursuant to the rule appear on pages H2717–20.

**Quorum Calls—Votes:** Four recorded votes developed during the proceedings of the House today and appear on pages H2681, H2695–96, H2702–03. There were no quorum calls.

**Adjournment:** Met at 12:30 p.m. and adjourned at 10:59 p.m.

## Committee Meetings

### TRANSPORTATION APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Transportation, and Related Agencies held a hearing on the Federal Railroad Administration. Testimony was heard from Jolene M. Molitoris, Administrator, Federal Railroad Administration, Department of Transportation.

### SECURITIES LITIGATION REFORM

*Committee on Rules:* By a recorded vote of 9 to 4, granted a modified open rule providing for 1 hour of general debate on H.R. 1058, Securities Litigation Reform Act. The rule provide for an 8-hour time limit on the amendment process. Priority in recognition may be accorded to Members who have preprinted their amendments in the CONGRESSIONAL RECORD. The rule makes in order the amendments printed in the report accompanying the rule if offered by Representative Wyden or a designee and by Representative Cox or a designee and waives points of order against the amendments for failure to comply with clause 7 of rule XVI. Finally, the rule provides one motion to recommit.

### MINORITY SMALL BUSINESS AND CAPITAL OWNERSHIP DEVELOPMENT ACT

*Committee on Small Business:* Held a hearing to review the 8(a) Minority Small Business and Capital Ownership Development Act. Testimony was heard from Robert Neal, Associate Deputy Administrator, Government Contracting and Minority Enterprise Development,

SBA; Judith England Joseph, Director, Housing and Community Development Issues, Resources, Division of Community, Economic Development Division, GAO; Ralph C. Thomas III, Associate Administrator, Small and Disadvantaged Business Utilization, NASA; and public witnesses.

### GSA CAPITAL INVESTMENT PROGRAM REFORM AND RELATED MATTERS

*Committee on Transportation and Infrastructures:* Subcommittee on Public Buildings and Economic Development continued hearings on GSA Capital Investment Program Reform legislation and related matters. Testimony was heard from Ken Kimbrough, Commissioner, GSA; David Kessler, Commissioner, FDA, Department of Health and Human Services; the following officials of the Department of the Treasury: Pat Duffy, Division Director, Office of Field Operations, U.S. Customs Services; and David Mader, Chief, Management and Administration, IRS; and Gerald Thacker, Assistant Director, Administrative Office of the United States Courts.

Hearings continue March 9.

## Joint Meetings

### ORGANIZATIONAL MEETING

*Joint Committee on Printing:* Committee met and approved Representative Thomas as Chairman and Senator Stevens as Vice Chairman of the committee and adopted its rules of procedure for the 104th Congress.

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## COMMITTEE MEETINGS FOR TUESDAY, MARCH 7, 1995

(Committee meetings are open unless otherwise indicated)

### Senate

*Committee on Appropriations,* Subcommittee on Commerce, Justice, State, and Judiciary, to hold hearings on proposed budget estimates for fiscal year 1996 for the Department of Commerce, 10 a.m., S-146, Capitol.

Subcommittee on Labor, Health and Human Services, and Education, to hold hearings on proposed budget estimates for fiscal year 1996 for the Department of Labor, 2 p.m., SD-192.

*Committee on Armed Services,* to resume hearings on proposed legislation authorizing funds for fiscal year 1996 for the Department of Defense and the future years defense program, 9:30 a.m., SR-222.

*Committee on the Budget,* to hold hearings to examine various privatization initiatives, 9 a.m., SD-608.

*Committee on Commerce, Science, and Transportation,* Subcommittee on Oceans and Fisheries, to hold hearings on proposed legislation authorizing funds for fiscal year 1996 for the United States Coast Guard, Department of Transportation, 2:30 p.m., SR-253.